



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Teri Rennia, City Council President
Angela Holmes, City Clerk

MINUTES
City Council Business Meeting
Council Chambers, 38 Hawley Street, Binghamton, N.Y.
Wednesday September 4, 2013

CALL TO ORDER

Called to order by Council President Rennia at 6:32pm.

PLEDGE OF ALLEGIANCE

Council President Rennia led the Pledge of Allegiance.

ROLL CALL

Present: Jerry Motsavage, Joseph Mihalko, Teri Rennia, Chris Papastrat, John Matzo, Bill Berg

Absent: Lea Webb

Also in attendance: Angela Holmes, City Clerk; Jeremy Pelletier, Deputy City Clerk; Allison Sosa, 2nd Assistant Corporation Counsel

REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Motion to approve the minutes from the City Council Business Meeting held on August 21, 2013.

Moved by Motsavage, seconded by Berg.

Voice vote, none opposed.

Councilman Motsavage noted for the record that the Binghamton City Council Finance Committee will hold the following budget meetings:

- September 9 at 5:00pm located at the Village of Johnson City Hall (Joint Work Session)
- September 18 at 7:30pm located in the City Council Work Session Room
- September 23 at 5:00pm located in the City Council Work Session Room
- September 24 at 5:00pm located in the City Council Work Session Room (Joint Work Session)
- September 24 at 7:00pm located in the City Council Work Session Room
- September 25 at 5:00pm located in the City Council Work Session Room
- September 30 at 5:00pm located in the City Council Work Session Room
- October 2 at 5:00pm located in the City Council Work Session Room
- October 4 at 5:00pm located in the City Council Work Session Room (Joint Work Session)
- October 4 at 7:00pm located in the City Council Work Session Room
- October 7 at 7:30pm located in the City Council Work Session Room
- October 9 at 7:30pm located in the City Council Work Session Room
- October 15 at 5:00pm located in the City Council Work Session Room
- October 16 at 5:00pm located in the City Council Work Session Room

Councilman Berg noted for the record that Binghamton City Council's Employees Committee will meet on Wednesday September 18, 2013 at 5:30pm to discuss residency requirements for City of Binghamton employees. This meeting will



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be held in the City Council Work Room, located through the City Clerk's Office on the first floor of City Hall, 38 Hawley Street, Binghamton.

SET PUBLIC HEARING

The City of Binghamton will hold a public hearing regarding "An Ordinance authorizing a noise variance for Remlik's Grille and Oyster Bar". This public hearing will take place during the regularly scheduled City Council Business Meeting held on September 18, 2013 at 6:30pm. For more information, please contact the City Clerk by telephone at (607) 772-7005, or by email at clerk@cityofbinghamton.com.

POINT OF ORDER

As a point of order, Council President Rennia stated the following:

For many years City Council has included a public comment period at its Business Meetings. The purpose of the public comment period has always been to encourage residents and those who own property or work in the City to express their views about City business. The opportunity to speak at City Council meetings is a privilege, not a right. City Council asks speakers to be respectful of this privilege.

One of the longstanding limitations on public comment is no electioneering. This rule has been consistently enforced because electioneering is not City business. While it is not always easy to differentiate between City business and electioneering, the City does not want its Business Meetings to become campaign stops and will enforce this limitation very strictly.

Lastly, in order to avoid the appearance of impropriety during this election season, I will step down from the President's Chair during Public Comment, and allow Council President Pro Tem Berg to facilitate this portion of the meeting.

Council President Rennia stepped down, and allowed Council President Pro Tem Berg to assume the President's Chair for the Public Comment portion of the meeting.

PUBLIC COMMENT/COMMUNICATIONS

Donald Karn, Douglas Walter Drazen, Sharon Nieminski

POINT OF ORDER

City Council President Rennia resumed her seat to conduct the remainder of the Business Meeting.

FIRST READING LEGISLATION

Introductory Local Law 13-2. Considered in Planning and Community Development, Chair: Webb

A Local Law establishing a home improvement tax exemption program

Note: Notice of the public hearing was published in the Press & Sun Bulletin on August 16, 2013. A public hearing was held on August 21, 2013. Council President Rennia requested that her name be added to the sponsor list.

Motion to approve legislation.

Moved by Berg, seconded by Motsavage.

Motion carried. Legislation adopted as Permanent Local Law 13-2. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg

Nays: None



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Absent: Webb

Introductory Ordinance 13-60. Considered in Finance, Chair: Webb

An Ordinance authorizing various transfers in the 2013 Binghamton-Johnson City Joint Sewage Board Budget
Motion to approve legislation.

Moved by Motsavage, seconded by Mihalko.

Motion carried. Legislation adopted as Permanent Ordinance 13-57. (Vote 4-2-1)

Ayes: Motsavage, Mihalko, Papastrat, Matzo

Nays: Rennia, Berg

Absent: Webb

Introductory Ordinance 13-61. Considered in Finance, Chair: Webb

An Ordinance amending the 2013 Law Department Budget to transfer \$20,000.00 from budget line M1910.54900 (Incurred Loss) to budget line M1910.54430 (Legal Services)

Motion to approve legislation.

Moved by Motsavage, seconded by Berg.

Motion carried. Legislation adopted as Permanent Ordinance 13-58. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg

Nays: None

Absent: Webb

Introductory Ordinance 13-62. Considered in Planning and Community Development, Chair: Webb

An Ordinance authorizing the sale of 17 Harding Avenue to Matthew and Marcie Michalek for \$50

Motion to approve legislation.

Moved by Berg, seconded by Motsavage.

Motion carried. Legislation adopted as Permanent Ordinance 13-59. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg

Nays: None

Absent: Webb

Introductory Ordinance 13-63. Considered in Public Works/Parks and Recreation, Chair: Motsavage

An Ordinance authorizing the free disposal of one bulk item per household from October 21-25, 2013

1. Motion to approve legislation.
Moved by Motsavage, seconded by Mihalko.
2. Motion to hold legislation.
Moved by Berg, seconded by Papastrat.

Introductory Ordinance 13-64. Considered in Employees, Chair: Berg

An Ordinance establishing and funding the position of Superintendent of City Streets in the Department of Public Works
2013 budget

Motion to approve legislation.

Moved by Berg, seconded by Motsavage.

Motion failed. Legislation defeated. (Vote 2-4-1)



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Ayes: Motsavage, Berg
Nays: Mihalko, Rennia, Papastrat, Matzo
Absent: Webb

Introductory Resolution 13-75, Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution authorizing the City Clerk to discontinue the sale of sporting licenses and to discontinue serving as a license-issuing agent on behalf of the New York State Department of Environmental Conservation

Motion to approve legislation.

Moved by Motsavage, seconded by Matzo.

Motion carried. Legislation adopted as Permanent Resolution 13-75. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb

Introductory Resolution 13-76, Considered in Municipal and Public Affairs, Chair: Motsavage

A Resolution to support an application by the Broome County Land Bank Corporation to the Community Revitalization Initiative

Motion to approve legislation.

Moved by Motsavage, seconded by Pelletier.

Motion carried. Legislation adopted as Permanent Resolution 13-76. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg
Nays: None
Absent: Webb

COMMUNICATIONS FROM COUNCIL MEMBERS

Matzo, Berg, Motsavage, Mihalko, Papastrat, Rennia

ADJOURNMENT

Motion to adjourn at 7:44pm.

Moved by Matzo, seconded by Berg.

Voice vote, none opposed.